

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

\* \* \*

IN THE MATTER OF THE APPLICATION OF  
PUBLIC SERVICE COMPANY OF COLORADO  
FOR A CERTIFICATE OF PUBLIC CONVEN-  
IENCE AND NECESSITY TO CONSTRUCT A  
GAS DISTRIBUTION LATERAL TO AND GAS  
DISTRIBUTION SYSTEMS WITHIN THE CITIES  
OF BLACK HAWK AND CENTRAL, COUNTY OF  
GILPIN, STATE OF COLORADO: TO EXERCISE  
FRANCHISE RIGHTS IN SAID CITIES FOR  
THE PURCHASE, MANUFACTURE, GENERATION,  
TRANSMISSION, DISTRIBUTION AND SALE OF  
ELECTRICAL ENERGY AND GAS, EITHER NAT-  
URAL, ARTIFICIAL OR MIXED, IN SAID  
CITIES OF BLACK HAWK AND CENTRAL: AND  
TO DISTRIBUTE AND SELL NATURAL GAS IN  
THE AREAS ADJACENT TO SAID CITIES AND  
ALONG SAID GAS DISTRIBUTION LATERAL.

APPLICATION NO. 22281

December 14, 1966

Appearances: Lee, Bryans, Kelly & Stansfield,  
Esqs., Denver, Colorado, by  
Donald D. Cawelti, Esq., Denver,  
Colorado, for Applicant;  
J. M. McNulty, Denver, Colorado,  
of the Staff of the Commission.

STATEMENT

BY THE COMMISSION:

Public Service Company of Colorado filed an application with this Commission, seeking a certificate of public convenience and necessity authorizing the construction of a gas distribution lateral from its present main in Idaho Springs to, and distribution systems within, the Cities of Black Hawk and Central, Gilpin County, and to distribute and sell natural gas to customers along said distribution lateral. Applicant also requested the authority of this Commission to exercise franchise rights to distribute and sell gas and electricity in the said Cities of Black Hawk and Central, and to distribute and sell gas in the area adjacent to said Cities.

The matter was set for hearing, after due notice to all interested parties on December 12, 1966, at ten o'clock A.M., in the Hearing Room of the Commission, 532 State Services Building, Denver, Colorado. At said time and place the matter was duly heard by the Commission and at the conclusion of the hearing taken under advisement. No one appeared at the hearing in opposition to the granting of this application.

Applicant is a corporation, organized and existing under and by virtue of the laws of the State of Colorado, and is a public utility operating company subject to the jurisdiction of this Commission, engaged primarily in the purchase, generation, transmission, distribution and sale of electric energy, and in the purchase, distribution and sale of natural gas in various areas within the State of Colorado. A certified copy of Applicant's Composite Certificate of Incorporation, containing all amendments thereto, has heretofore been filed with this Commission.

Applicant showed that it had been granted joint gas and electric franchises by the Cities of Black Hawk and Central, which franchises were granted by ordinances of the Cities identified and entitled respectively as follows:

BLACK HAWK - Ordinance No. 66-1 of August 2, 1966

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF BLACK HAWK, GILPIN COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF BLACK HAWK, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE CITY OF BLACK HAWK AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF BLACK HAWK AND FIXING THE TERMS AND CONDITIONS THEREOF.

CENTRAL - Ordinance No. 163 of August 3, 1966

AN ORDINANCE GRANTING A FRANCHISE BY THE CITY OF CENTRAL, GILPIN COUNTY, COLORADO, TO PUBLIC SERVICE COMPANY OF COLORADO, ITS SUCCESSORS AND ASSIGNS, TO LOCATE, BUILD, CONSTRUCT, ACQUIRE, PURCHASE, EXTEND, MAINTAIN AND OPERATE INTO, WITHIN AND THROUGH THE CITY OF CENTRAL, A PLANT OR PLANTS, SUBSTATIONS, AND WORKS, FOR THE PURCHASE, MANUFACTURE, GENERATION, TRANSMISSION AND DISTRIBUTION OF ELECTRICAL ENERGY AND GAS, EITHER NATURAL, ARTIFICIAL OR MIXED, AND TO FURNISH, SELL AND DISTRIBUTE SAID ELECTRICAL ENERGY AND GAS TO THE CITY OF CENTRAL AND THE INHABITANTS THEREOF, FOR LIGHT, HEAT AND POWER, OR OTHER PURPOSES, BY MEANS OF PIPES, MAINS, CONDUITS, CABLES, POLES, AND WIRES STRUNG THEREON, OR OTHERWISE, ON, OVER, UNDER, ALONG, ACROSS AND THROUGH ALL STREETS, ALLEYS, VIADUCTS, BRIDGES, ROADS, LANES, AND OTHER PUBLIC WAYS AND PLACES IN SAID CITY OF CENTRAL AND FIXING THE TERMS AND CONDITIONS THEREOF.

Certified copies of said franchises as passed and approved were attached to and made parts of the application as Exhibit A (Black Hawk) and Exhibit B (Central).

The term of each of said franchises is twenty-five years.

Applicant and its predecessor company have served electricity in said Cities for many years under "Grandfathers rights," and under authorizations of this Commission, the most recent of which were Decision No. 42199 of March 9, 1954, Application No. 12761 for Black Hawk and Decision No. 42200 of March 9, 1954, Application No. 12762 for Central.

Witness for Applicant, Mr. D. E. Lichtenwalter, testified that the lateral to and systems within the Cities of Black Hawk and Central are expected to be completed by late summer next year. Applicant expects to serve customers along the lateral under its extension policy. The witness estimated that the gas distribution lateral and facilities along the same would involve an investment of \$55,000 and that investment in the gas distribution systems in Black Hawk and Central would total \$56,000 and \$99,700 respectively over the 25-year terms of the franchises in the cities.

The witness testified that the City of Black Hawk has an estimated present population of 200 and that Central has an estimated population of 275.

A feasibility study of the proposed gas project was introduced at the hearing as Exhibit F. Testimony indicated that Public Service conducted a survey of potential gas customers in Black Hawk and Central. The survey indicated that about 228 customers would be served within five years in the two Cities.

Maps of the primary electric distribution systems in the Cities of Black Hawk and Central were introduced at the hearing as Exhibits G and H respectively. Investment in electric facilities in the Cities over the 25-year term of the franchises is estimated at \$18,400 for Black Hawk and \$18,000 for Central.

The estimates regarding investment, both gas and electric, will be used as the basis for the fee for the issuance of the certificate but will not be binding upon the Commission in any subsequent investigation where valuation may be an issue.

All gas will be odorized prior to sale to customers.

#### F I N D I N G S

##### THE COMMISSION FINDS:

That the above and foregoing Statement is hereby made a part of these Findings, by reference.

That the Commission has jurisdiction of Applicant herein, Public Service Company of Colorado, and of the subject matter involved in the instant application.

That the Commission is fully advised in the premises.

That the public convenience and necessity require and will require the construction by Public Service Company of Colorado of a gas distribution lateral from Idaho Springs to the Cities of Black Hawk and Central; the construction of gas distribution systems in



said Cities; the exercise of franchise rights for the distribution and sale of gas and electricity in said Cities; and the distribution and sale of gas in the areas contiguous to said Cities and along the gas distribution laterals to said Cities.

That Applicant should odorize all gas prior to sale to its customers.

#### O R D E R

##### THE COMMISSION ORDERS:

That Public Service Company of Colorado is hereby authorized to extend a gas distribution lateral from Idaho Springs, Colorado, to the Cities of Black Hawk and Central, to construct gas distribution systems in said Cities; to exercise franchise rights for the distribution of gas and electricity in said Cities of Black Hawk and Central; and to distribute gas in the area adjacent to said Cities and along the gas distribution lateral thereto; and this Order shall be taken, deemed and held to be a certificate of public convenience and necessity therefor.

That Public Service Company of Colorado shall install, operate and maintain its electric and gas systems and supply service in the areas heretofore designated in accordance with its schedules of electric and gas rates, classifications, rules and regulations as applicable to the areas, now on file with this Commission, or as the same may be changed according to law and the rules and regulations of this Commission.

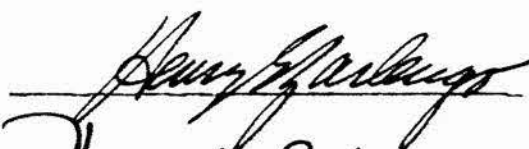
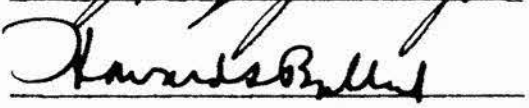

That Applicant shall odorize all gas prior to sale to its customers.

That Public Service Company of Colorado shall continue to maintain its books and accounts in accordance with the Uniform System of Accounts, and shall continue to keep its practices as to the testing of meters, customers' deposits and operations,

records of meters and complaints, in accordance with the Commission's requirements.

That this Order shall become effective forthwith.

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

  
  
  
Commissioners

Dated at Denver, Colorado,  
this 14th day of December, 1966.  
ls